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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	SA CR No. 08-140-CJC
)	
Plaintiff,)	<u>REQUEST FOR DISMISSAL</u>
)	
v.)	[Fed.R.Crim.P. 48]
)	
HENRY T. NICHOLAS, III,)	
)	
Defendant.)	
)	
)	

On December 15, 2009, the Court ordered, among other things, dismissal of the criminal fraud case against DR. HENRY T. NICHOLAS, III (United States v. Henry T. Nicholas, III, SA CR 08-139-CJC) ("the fraud case"). At that time, the Court scheduled a hearing on February 2, 2010 for the government to show cause whether the above-captioned case charging DR. NICHOLAS with narcotics-related offenses ("the narcotics case") should proceed in light of the Court's December 15, 2009 ruling. As the

1 government has previously stated, it disagrees with the Court's
2 findings and rulings in the fraud case. Nevertheless, in light
3 of the Court's rulings, pursuant to Rule 48(a) of the Federal
4 Rules of Criminal Procedure, the government hereby moves to
5 dismiss the indictment against defendant HENRY T. NICHOLAS, III
6 in the narcotics case.

7 Dated: January 7, 2010

8 Respectfully submitted,

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12 Assistant United States Attorney
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